

Notice of Proposed Action

Thunder Basin Coal Company, LLC Mineral Material Contract Re-issue

USDA Forest Service
Medicine Bow-Routt National Forests and Thunder Basin National Grassland
Douglas Ranger District
Campbell County, WY

PURPOSE AND NEED

The purpose of the proposed action is to respond to Thunder Basin Coal Company's (TBCC) request to renew a mineral material contract for another 5-year term authorizing scoria (clinker) mining operations at Black Thunder Mine. The mineral material contract is needed to authorize TBCC to continue scoria/clinker mining operations and to ensure that an adequate supply of scoria is available to support road maintenance and changes in infrastructure at Black Thunder Mine necessary for the uninterrupted mining of Federal coal leases subject to the Mineral Leasing Act of 1920 and the Federal Coal Leasing Amendments Act of 1976.

PROPOSED ACTION

The USDA Forest Service is proposing to authorize a renewal of a mineral material contract to Thunder Basin Coal Company for scoria (clinker) mining operations at Black Thunder Mine. The current contract (MM-DGL22) expires on December 31, 2020 and the new contract (MM-DGL33) would start on January 1, 2021 for a five-year term. The contract authorizes TBCC to mine and remove no more than 2,000,000 cubic yards of scoria/clinker annually from 2,320 acres of federally owned minerals located on National Forest System (NFS) lands and privately owned surface lands in Sections 11, 13, 14, 23-27, and 35, T43N R70W, 6th Principle Meridian, Campbell County, Wyoming (see map Exhibit A).

There are no changes requested in the NFS or the privately owned surface lands available for the scoria mining areas at Black Thunder Mine. The scope of the operations would be the same for the new contract as for the expiring contract. The mining operations would include access and haul road construction, portable rock crushing equipment, scoria stockpile locations, and drainage control away from the pit, crusher, and stockpile locations. Mined out areas would be reclaimed as soon as practicable prior to the full transition of operations to new mineable areas. The mineral material contract areas for the scoria mining are subject to the Black Thunder Mine Mining and Reclamation Plan (permit no. 233) approved by the Wyoming Department of Environmental Quality – Land Quality Division.

AFFECTED ENVIRONMENT

The TBCC mineral material (scoria) contact area is located approximately 12 miles east of Wright along State Highway 450, in Campbell County, Wyoming and is within the administrative boundary of the Thunder Basin National Grassland (TBNG), Douglas Ranger District. The primary use of lands to the north, west, and south of the contract area is mining operations at Black Thunder Mine while the primary use to the east is grazing.

The contract area is situated along the burn line in the Rochelle Hills, an area on the eastern edge of the Powder River Basin characterized by rolling hills and steep escarpments. The burn line is a boundary generally oriented north and south along which the underlying coal seam burned and is considered the eastern extent of the mineable coal. The contract area is drained by Little Thunder Creek and several of its tributaries. Little Thunder Creek runs from west to east within the area, and scoria deposits occur in the hills and escarpments on both sides of the creek. The elevation within the contract area ranges from 4,600 to 4,852 feet above sea level with rolling hills supporting upland grassland and shrub land vegetation communities.

Scoria (clinker) within the project area is exposed along ridge tops and knolls and ranges in size from small, gravel-sized pieces to large boulders several feet in diameter. The scoria consists of baked, fused, or melted shales developed in place where the underlying coal seam burned and is typically red in color and ranges in texture from porous to smooth and dense. It is resistant to erosion and is generally a surficial deposit but can be overlain by minor amounts of overburden. TBCC estimates an average mineable scoria depth of 15 feet within the contract area.

LAND AND RESOURCE MANAGEMENT PLAN DIRECTION

The TBNG Land and Resource Management Plan (LRMP), as amended, provides guidance for all resource management activities on the TBNG. It establishes management goals, objectives, standards and guidelines as well as the availability and suitability of lands for resource management activities. Through the environmental analysis, a determination will be made if the proposed action is or could be made consistent with the grassland-wide, management areas and geographic area direction of the TBNG LRMP, as amended. The LRMP can be amended if needed by project level decisions provided the effects of any amendments are evaluated and disclosed in an environmental assessment or environmental impact statement prepared for the project or proposal.

This project responds to the goals outlined in the Land and Resource Management Plan for the Thunder Basin National Grassland; goals for this activity include:

Goal 2 – Multiple Benefits to People

Provide a variety of uses, values, products, and services for present and future generations by managing within the capability of sustainable ecosystems.

2c: Improve the capability of the Nation's forests and grasslands to provide a desired sustainable level of uses, values, products and services.

Mineral and Energy Resources – Objectives:

- 1) Ensure reclamation provisions of operating plans are completed to standard.
- 2) Honor all valid existing legal mineral rights.

Geographic Area Direction

The contract area is located in the Hilight Bill Geographic Area (p. 2-21) as described in the Land and Resource Management Plan for the Thunder Basin National Grassland. Minerals exploration and development and livestock grazing are significant management activities in this geographic area. Mineral developments such as coal mines, railroads, oil and gas wells, and pipelines will be present and will often dominate the landscape. In some areas, there may be restrictions on public use to ensure public safety and to avoid unreasonable interference with mineral operations. In those areas where mining is emphasized, reclamation activities will restore the area to a reasonable level of its pre-mining condition.

Management Area Direction

The Management Prescription for the contract area is 8.4 – Mineral Production and Development. These areas are managed for solid mineral operations. Mineral operations of all types are emphasized to effectively and efficiently remove available commercial mineral resources, concurrent with other ongoing resource uses and activities. Operations include development and production of solid minerals, such as coal, bentonite, uranium and hard rock, open-pit mines, stock-piled overburden and top soil and various ancillary facilities. Reclamation activities restore the area to a reasonable level of its pre-mining condition.

ENVIRONMENTAL EFFECTS ANALYSIS

The Forest Service Responsible Official, with an interdisciplinary team of resource specialists, will analyze the possible effects or impacts this proposal could have on the biological, cultural, and physical environments in the analysis area and the relationship between the proposal and the laws, regulations, and agency policy that apply to the proposal.

DECISIONS TO BE MADE

Through the National Environmental Policy Act (NEPA) process, the Responsible Official of the Forest Service will determine whether or not this proposal will be authorized and, if so, where and under what terms and conditions the proponent would conduct the activity on National Forest System lands.

COMMENTS REQUESTED

The Forest Service seeks comments and input from federal, tribal, state, and local agencies, and individuals or organizations that have an interest in or could be affected by the proposed action. Specific comments are the most useful for the identification of issues and analysis of the proposal.

The name and mailing address of the commenter should be provided with comments so that future documents pertaining to this project may be provided to them. Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record and will be available for public inspection.

Send written comments to:
Responsible Official
USDA Forest Service
2250 E. Richards St.
Douglas, WY 82633

Facsimile: 307-358-7107.

E-mail comments may be sent to: comments-rm-mbr-douglas-thunder-basin@fs.fed.us

The e-mail system will accept email, rtf, and Microsoft Word formats. If comments are electronically mailed, the sender should receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive such confirmation, it is the sender's responsibility to ensure timely receipt by other means. Comments may be delivered in person to the Douglas Ranger Station between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays.

Pursuant to 7 CFR 1.27 (d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with name and address within 10 days.

CONTACT PERSON INFORMATION

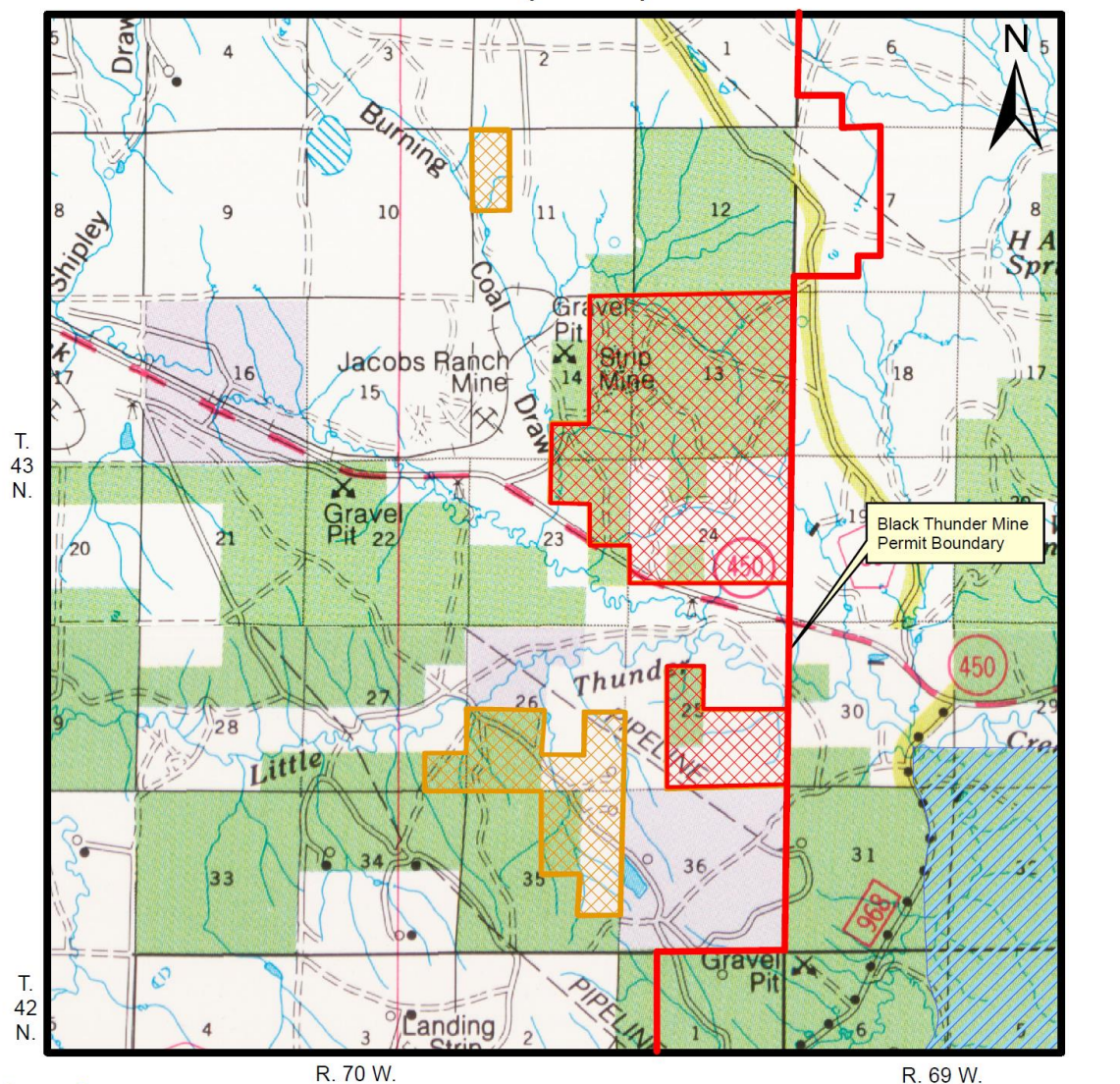
Jim McKay, Geologist and Solid Minerals Project Manager
Douglas Ranger Station
2250 East Richards Street
Douglas, WY 82633-8922
Telephone: (307) 358-4690
E-mail: james.mckay@usda.gov

This public scoping notice and the project map are available on the World Wide Web at:
<https://www.fs.usda.gov/project/?project=57730>

Exhibit A

Thunder Basin Coal Company

Mineral Materials (Scoria) Contract Area



0 0.25 0.5 1 1.5 2 Miles

-  Scoria Mining Contract Area (scoria mining addition area where modified wildlife stipulations apply)
-  Scoria Mining Contract Area (previous existing scoria mining area exempt from modified wildlife stipulations)
-  TBNG Greater Sage-grouse Priority Habitat Management Area
-  Thunder Basin National Grassland
-  State Land

Disclaimer:

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Revised by J. McKay 3/30/2017

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(1) mail:

U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights,
1400 Independence Avenue SW, Washington D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov

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